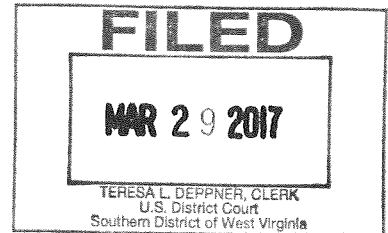


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA



Chad D. Robinson

3526923

(enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg.# of each plaintiff

VERSUS

CIVIL ACTION NO. 5:17-2063

Patrick Miranda (WARDEN).

Medical Team / Unit

Capt. Heather McKnight

Cpl. Lisa Sprallid

(Enter above the full name of the defendant
or defendants in this action).

COMPLAINT

I. Previous Lawsuit

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

☐

Yes

☒

No

- B. If you answer to A is yes, describe each lawsuit in the space below. (If there is

more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.

1 Parties to the previous lawsuit:

Plaintiffs:

Chad D. Robinson
3526923

Defendants:

Patrick Mearns (Warden).
Medical Unit
Capt. Heather McKnight / Cpl. Lisa
Spradlin -

2 Court (if federal court, name the district; if state court name the county:

Raleigh County WV.

3

Docket Number:

(unknown)

4

Name of Judge to whom case was assigned:

N/A

5

Disposition (for example; was the case dismissed? Was it appealed?
Is it still pending?

NEW CASE being filed

6

Approximate date of filing lawsuit

3-25-17

7

Approximate date of disposition

II.

Place of Present Confinement:

ST. Marys Correctional Center

A. Is there a prisoner grievance procedure in this institution?



Yes



No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?



Yes

No

C. If yes answer YES:

1. What steps did you take

Filed the grievance forms.

2. What was the results'

THERE WERE NO RESULTS -
I'VE NEVER got AN ANSWER FROM ANYBODY.

D. If your answer is NO, explain why not

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any,

A. Name of Plaintiff

PATRICK MIRANDA (WARDEN).

Address:

ST. MARYS CORRECTIONAL CENTER

B. Additional Plaintiff(s) and Address(es)

MEDICAL UNIT AT

ST. MARYS CORRECTIONAL CENTER

(In item C below, place the full name of the defendant in the blank, his/her official position in the second blank , and his/her place of employment in the third blank. Use Item D for the names, positions, and place of employment of any additional defendants.)

C. Defendant: Capt. Heather McKnight
 Is employed as A Captain
 at: ST. MARYS Correctional Center

D. Additional defendant Cpl. Lisa Spadlin
This person is A Corporal at the
ST. MARYS Correctional Center-

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if

I Chel Robinson was transferred to ST. MARYS Corr. Center
on 8-13-17. I wasn't stripped searched, nor searched
my belongings upon my arrival; under policy directive
400.03. These officers stated as the defendants
started crossing me, mistreating me, my foot
that is injured was stepped on; I reacted
in pain because of a serious infection,
also 2 toes already missing, I was thrown
down and slammed to the floor,

IV. Statement of Claim (continued):

These officers were verbally abusing me while slamming my head off the floor calling me "nigger", all this while I still had a port I.V. still in my arm, then these officers piled all these rule infractions on me, dragged me to a isolation cell where I remained for hours.

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

I want these officers terminated -
I want these rule infractions suspended on me.
I want transferred back to Peewee Town Correction Center.
And I also want to file a \$2,000,000.00 (two million) dollar lawsuit on these defendants. I also request that all defendants assets be frozen until proceedings are final.

V. Relief (continued)

I also want this facility held accountable for beating inmates and covering each other from legal action, this type of practice goes on everyday here. I asked for a copy of the surveillance video and they told me to go to hell!

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name

Mr. Tim Carrico Attorney at Law.

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes ☒ No ☐

If, so, state the name(s) and address(es) of each lawyer contacted:

Mr. Tim Carrico, 105 Capitol St. Suite 300
Charleston, WV. 25301 - 304-347-3800

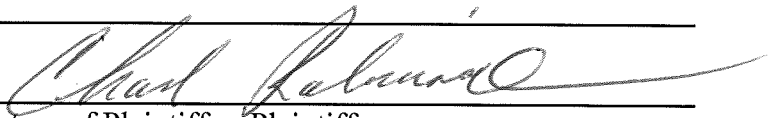
If not, state your reasons: _____

- C. Have you previously has a lawyer representing you in a civil action in this court?

Yes ☐ No ☒

If so, state the lawyer's name and address:


Signed this _____ day of _____, 20 _____



Signature of Plaintiff or Plaintiffs

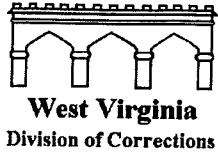
I declare under penalty of perjury that the foregoing is true and correct.

executed on 3-27-17
(Date)



Signature of Movant/Plaintiff

Signature of Attorney
(if any)



ST. MARYS CORRECTIONAL CENTER
JIM RUBENSTEIN, COMMISSIONER
PATRICK MIRANDY, WARDEN




JIM JUSTICE
GOVERNOR

JEFF S. SANDY, CAMS, CFE
CABINET SECRETARY

2880 NORTH PLEASANTS HIGHWAY
ST. MARYS, WV 26170

TO: Chad Dwayne Robinson
OID #3526923

FROM: Patrick Mirandy 
Warden

DATE: March 6, 2017

RE: Appeal Request (Docket No. 154100, 154125, 154126, 154267)

I have reviewed your Appeal Request on the following Docket Numbers as well as the documentation provided and I find the following applies in this matter:

- Docket No. 154100 for Violation of 2.30 Creating a Disturbance; Violation of 2.32 Insubordination/Insolence
- Docket No. 154125 for Violation of 2.01 Refusing an Order
- Docket No. 154126 for Violation of 2.32 Insubordination/Insolence
- Docket No. 154267 for Violation of 2.32 Insubordination/Insolence

I spoke with you in regards to this and advised you I would look into the situation as a whole. There were numerous employees to include Division of Corrections and Medical and no one reported any racial slurs being used.

The content of the Disciplinary Incident Report, Hearing Report and your testimony supports a finding of guilt. I find the Hearing Officer acted within the guidelines established by Policy Directive 325.00.

Therefore, Mr. Robinson, I am denying your Appeal Request based upon this information.

PM/bc

cc: Misty Adams, Unit Manager
Paul Gordon, Hearing Officer
Records
File

ST. MARYS CORRECTIONAL CENTER

DISCIPLINARY APPEAL

To: Patrick Mirandy

From: Chad Dwayne Robinson D.O.C. # 3526923

Date: March 02, 2017

Re: Case Number: 154267, 154267, 154100, 154125 & 154126

Pursuant to Policy Directive 325.00 7.03, this inmate submits the following as his appeal of the above styled cases.

Part A

Statement of Facts

1. The Inmate was served with the violation reports on Feb. 16th 2017, notifying him that he had been charged with a rule violations 2.32 Insubordination/Insolence x3, 2.30 Creating a Disturbance, and 2.01 Refusing an Order. He also was notified that we was scheduled to appear before the Institutional Magistrate on 02/22/2017 & 02/27/2017
2. The Inmate submitted his Request for Witness/Representation form to the Institutional Magistrate on 02/20/2017.\
3. The Inamte appeared before the Institutional^g Magistrate on 02/27/2017 & 02/22/2017
4. The Magistrate found the Inmate GUILTY of 2.32 X2 , 2.01 and 2.30 and sentenced him to 30 days of Loss of ALL Privileges (Mar 1- 31)

(SEE ATTACHED FINDINGS & DISPOSITION)

5. The Inmate recieved his written Findings and Disposition on the Feb 24th and Mar 1st

Part B

Grounds For Appeal

Pursuant to P.D. 325.00, Section VII, Number 7.03 (a) (1-8) the Inmate submits the following grounds for his appeal. More specific and/or supporting allegations/arguments are immediately there after for your consideration.

1. The Inmate was denied a fair hearing as set forth in section 6.11. Section 9 Participation of the Correctional hearing officer (part D) The Correctional Hearing Officer may dismiss without prejudice charges that he deems cumulative in nature.

Part C.

SUPPORTING ALLEGATIONS/ ARGUMENTS

_The Inmates presents in his own words, specifically why he thinks the grounds are true and can be proved.

I Chad Robinson I arrived at St. Marys correctional center on 8-13-2017. They never stripped me out nor looked through my belonging upon my arrival, which went against policy 400.03. I did retrieve my belongs with the permission of the officer on duty that morning. I did admit I got upset when I was repeatedly ask asked how and why I got my belongings. All the comments that are claimed to be said by me are just not true. I also got upselt and felt like I was getting targeted when my foot got stepped on, which keep it mind that is the reason got transfered to S.M.C.C. because of infection in my foot that got stepped on. I felt disrespected when the officers started to laugh at my pain. I never refused an order nor did I use dead weight as resistance, I have trouble keeping my balance at times due to having 2 toes missing, especially when I am getting pulled on and rushed. I was repeatedly disrespected by getting thrown around and slammed down I was also getting verbally abused getting called racial slurs "nigger" and I was took to intake after I got beaten on and called out of my name with a I.V. still attached to my arm. I do admit I was in direct violation of 2.30 creating a distrubance and 2.32 insuborination/insolence, but not the multiple charges for in incident that all happened at on occurance I was given 5 write ups. The 2.32 x 3 is redundant and cumulative in nature. I am aware 2 wrongs dont make a right but there is also a policy for the officers and inmates alike are to have a mutal respect. I requested for copy of the footage and the pictures of my face after the incident to be available for my hearing and also for a copy for my lawyer. I also have to 2 wittness that are willing to state the truth.

RELIEF REQUESTED

___ The Inmate respectfully ask that based on the grounds and supporting agruments presented the below relief be granted in accordance with provisions of P.D. 325.00, section VII, Number 7.04 (a) (1-5).

(a) Reduce the punishment.

(b) Reverse and vacate the guilty finding and order record expunged of all relating file material to the guilty findings.

Respectfully Submitted,
Chad D. Robinson

Chal
ST. Marys Correctional Center
2008 North Pleasant Hwy.
ST. Marys Md. 206170

223

ALBK.
United States District Court
110 North Hebe ST. Rm. 119
Beckley, W.V. 25801

